

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2016-256-C**

In the Matter of the Application of)	
)	
CALLCATCHERS INC. D/B/A FREEDOMVOICE)	MOTION FOR PROTECTIVE
SYSTEMS)	TREATMENT
)	
For A Certificate Of Public Convenience And)	
Necessity To Provide Resold Interexchange)	
Telecommunications Services in the State of South)	
Carolina and for Alternative Regulation of its)	
Interexchange Offerings)	

CallCatchers Inc. d/b/a FreedomVoice Systems (“Petitioner”), pursuant to S.C. Code Ann. § 39-8-10, *et seq.*, S.C. Code Ann. Regs. 103-804(S)(2), and other applicable authority, hereby files this Motion for Protective Treatment (“Motion”) in the above-captioned proceeding. By this Motion, Petitioner seeks protective treatment by the South Carolina Public Service Commission (“Commission”) of certain commercially-sensitive financial information attached as **Exhibit G**, filed as Trade Secret and supplementing Petitioner’s Application for Certificate of Public Convenience and Necessity to Provide Resold Interexchange Telecommunications Services in the State of South Carolina and for Alternative Regulation of its Interexchange Offerings (“Application”).

In support of its Motion, Petitioner respectfully submits as follows:

1. The legal name, address, and telephone of the Petitioner are:

CallCatchers Inc. d/b/a FreedomVoice Systems
169 Saxony Road, Suite 212
Encinitas, CA 92024
Telephone: (800) 477-1477

2. All correspondence, notices, inquiries, and other communications regarding this Motion should be addressed to:

Jack Pringle
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1501 Main Street, 5th Floor
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with a copy to

Michael P. Donahue
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I. Description of Confidential Information

The Application requires Petitioner to disclose evidence of its financial ability to provide service by submitting documentation of its financial resources. Pursuant to this requirement, Petitioner is submitting copies of its financial statements.¹ These documents contain highly confidential and strictly proprietary information, the public disclosure of which would result in direct, immediate, and substantial harm to Petitioner competitive position in South Carolina, and in other states where Petitioner is currently doing or proposes to do business.

II. Grounds for Claim of Confidentiality

The financial information submitted by Petitioner in **Exhibit G** of its Application fits squarely within the definition of a “trade secret” under the South Carolina Trade Secrets Act.²

As a privately-held company, Petitioner currently has no legal obligation to prepare or submit

¹ Petitioner has previously made available the most recent financial statements for GoDaddy, Inc. (“GoDaddy”), the parent company of GoDaddy Operating Company, LLC. (“GoDaddy Operating”). GoDaddy Operating is in the process of acquiring Petitioner.

² A “trade secret” is defined in as information that: “(i) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by the public . . . and (ii) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.” S.C. CODE ANN. § 39-8-20(5)(a).

projected financial statements, or to report any financial information to a public entity. Further, the unavailability of this information derives independent economic value for Petitioner because the disclosure of such information would jeopardize Petitioner's relationship with its investors, and harm Petitioner's ability to compete in the provision of advanced telecommunications services in South Carolina.

Petitioner is not a public corporation, and its financial and business information are uniquely sensitive. Petitioner takes considerable efforts to maintain the secrecy of the information contained in its financial statements. Financial information of this type is not publicly disseminated, and Petitioner takes reasonable steps to guard this information internally as well. Its disclosure is limited to Petitioner's senior officers, counsel, and employees who are directly involved with Petitioner's financial operations. Furthermore, when required to submit financial information to public authorities, all such information is clearly stamped "confidential," and is accompanied by formal requests to maintain the confidentiality of the information and to withhold it from public disclosure.

Petitioner clarifies that its request for protection applies only to the financial information contained in **Exhibit G** to the Application. Accordingly, Petitioner is not seeking protection of any type by means of this Motion for those reports Petitioner will be required to file with the Office of Regulatory Staff ("ORS") should the relief sought in the Application be granted (*e.g.*, the Annual Report Form, Gross Receipts Report, Universal Service Fund Worksheet, etc.).

III. Conclusion

The financial information included in support of Petitioner's Application, for which confidential treatment is requested, is both proprietary and competitively sensitive. Petitioner would suffer substantial direct harm if such information is made publicly available. The harm that would result from public disclosure of Petitioner's financial information is real and not speculative. Moreover, to date, no other jurisdiction has required Petitioner to make its financial information publicly available. For the foregoing reasons, the financial information included in **Exhibit G** should be protected from public disclosure by the Commission.

WHEREFORE, Petitioner respectfully requests that the South Carolina Public Service

Commission grant this Motion for Protective Treatment with respect to the information contained in **Exhibit G** of Petitioner's Application for Certificate of Public Convenience and Necessity to Provide Resold Interexchange Telecommunications Services in the State of South Carolina and for Alternative Regulation of its Interexchange Offerings and grant such other and further relief as is just and proper.

Respectfully submitted,

CALLCATCHERS INC. D/B/A FREEDOMVOICE SYSTEMS

s/John J. Pringle, Jr.
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Counsel for CallCatchers Inc. d/b/a FreedomVoice Systems

August 5, 2016

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CERTIFICATE OF SERVICE

This is to certify that I have caused to be served this day the **Motion for Protective Treatment** via electronic mail service as follows:

Lessie Hammonds
Lhammon@regstaff.sc.gov

s/John J. Pringle, Jr.

August 5, 2016
Columbia, South Carolina